



AR 1745

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re the Application

Inventor(s): Yoshitaka DANSUI et al. Art Unit: 1745
Appl. No.: 09/805,509 Examiner: G. Winter
Filed: March 14, 2001
For: NICKEL POSITIVE ELECTRODE ACTIVE MATERIAL AND
NICKEL METAL HYDRIDE STORAGE BATTERY

CERTIFICATION UNDER 37 CFR §1.97(e) (1)
AND TRANSMITTAL FEE UNDER 37 CFR 1.17(p)

MAR 01 2004

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Applicants respectfully request pursuant to 37 CFR 1.97(d) (1) and (2), that the attached Information Disclosure Statement be entered. Please charge the fee of \$180.00 required by 37 CFR 1.17(p) to Deposit Account No. 19-4375.

In fulfillment of 37 CFR 1.97(d) (1) and (2) and 37 CFR 1.97(e) (1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Chinese Office Action dated January 30, 2004) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter
Registration No. 28,732

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Date: February 26, 2004

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INFORMATION DISCLOSURE STATEMENT

MAR 01 2004

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. JP '905 was cited in a Chinese Office Action dated January 30, 2004 (English translation attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter
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